



## Santa Clara Law Santa Clara Law Digital Commons

Faculty Publications

Faculty Scholarship

1-1-1994

# A Tribute to J. Timothy Philipps

Gerald F. Uelmen

*Santa Clara University School of Law*, [guelmen@scu.edu](mailto:guelmen@scu.edu)

Follow this and additional works at: <http://digitalcommons.law.scu.edu/facpubs>

 Part of the [Law Commons](#)

### Automated Citation

Gerald F. Uelmen, *A Tribute to J. Timothy Philipps*, 51 WASH. & LEE L. REV. 1149 (1994),  
Available at: <http://digitalcommons.law.scu.edu/facpubs/698>

This Article is brought to you for free and open access by the Faculty Scholarship at Santa Clara Law Digital Commons. It has been accepted for inclusion in Faculty Publications by an authorized administrator of Santa Clara Law Digital Commons. For more information, please contact [sculawlibrarian@gmail.com](mailto:sculawlibrarian@gmail.com).

askew, but trying to find which way is up is not easy. Sometimes we get lucky, though, and a special individual comes into our lives who somehow has kept his perspective and, by doing so, helps us regain ours. Tim Philipps is such a person for me.

I have never met a teacher who is so well-loved by his students as Tim. No doubt this is in part because of his expansive knowledge and energetic teaching style, but others have had such attributes and not achieved legendary status. No, I think it is because Tim has never lost sight of the fact that he first and foremost is a teacher. This does not mean that one doesn't pursue scholarship, as Tim's first-rate scholarship shows, but it does mean that one pursues scholarship without losing sight that our first obligation is to our students. I suspect all of this may sound strange to individuals outside of academia, but for those of us who live in a world of publish or perish, maintaining such a perspective is no easy task. One must be sufficiently self-confident to recognize that a law professor's most important contribution is not in writing the article lecturing the courts on how they have gone wrong, but in the everyday interaction with students in an effort to help them do and see what is right. I admire Tim for having that self-confidence and for the example he has set for others, like me, to follow. Thank you Tim and God bless you.

---

Gerald F Uelmen\*

Life's "defining moments" are rarely perceived as such when they happen. In retrospect, I know that one of the defining moments of my life was the October day in 1962 when I was assigned to live in Room 400 of Old North on the campus of Georgetown University. I was a very naive first year law student who landed a job as a "dormitory prefect" on Georgetown's undergraduate campus. Until I went off to law school, I had lived at home in a very typical middle class suburb of Los Angeles. I had never encountered anyone who actually chewed tobacco, or thought that Iron City beer was the nectar of the gods. Although I had been exposed to the glories of Hank Williams, and could even sing a few of his tunes, I was more interested in developing an ear for Mozart. I had a singular fixation

---

\* Professor of Law, Santa Clara University

on preparing myself to join the elite ranks of a respected profession and filling up a curriculum vitae with accolades that would be my ticket to success.

The first thing I noticed when I walked into my newly assigned attic quarters was the spittoon in the middle of the floor. Every spittoon I had ever seen before was a decorative antique. This one was obviously fully employed and by someone with very poor aim.

My encounter with my new roommate was not the first time I had seen him. We were in the same section of the first-year class since we both had surnames in the "L to Z" half of the alphabet. (We rarely met our "A to K" classmates.) In those days, we were expected to stand when called on to recite, but J Timothy Philipps achieved no greater stature when he stood, so I didn't have a memorable impression of him. I'll never forget the impression I formed when he welcomed me to Old North 400, though. I was fascinated by the incongruous combination of backwoods country boy and penetrating flasher of brilliant insightfulness. We quickly settled into a comfortable friendship and realized how much we could learn from each other.

I discovered one of the real joys of Tim's life is to shock and astound others. No party could end without an outrageous finale by Tim. One I particularly remember was "The Dance of the Seven Veils." Tim had an engaging ability to coax others into outrageous behavior as well. My forgettable debut as a country singer at a local dive was engineered by Tim. I sang "I Got Stripes," the lyrics to which I can only remember when drunk.

My first visit to the mountains and valleys of West Virginia was guided by Tim, and I discovered that Tim's warm folksiness, combined with cool caginess, were products of the environment in which he grew up. I gained a great deal of respect for the independence and self-sufficiency which that environment nurtured. Tim often reflects on the three most important lessons he learned as a kid: Be Nice, Don't Talk Back, and Don't Jump on the Bed.

Tim has a pretty clear idea of what he wants from life. Actually, we discovered our career aspirations were identical. We both realized that being a law professor had to be the cushiest job in the world. We stayed in close touch after law school and for a brief while, we were faculty colleagues teaching together at Loyola Law School in Los Angeles. The Loyola students quickly realized what a great teacher he was and kept his classrooms packed. Faculty meetings were enlivened by Tim's homespun

homilies, and alumni were entertained by his wit. In one memorable exchange, Tim even rendered Howard Cosell speechless. No mean feat.

But life as a California commuter held few attractions, and his roots summoned Tim back to Appalachia.

A career in legal academia brings one in contact with lots of people who are more impressed with themselves than they ought to be. This is a life in which too many seem to relish ranking everyone else, after putting themselves first. Tim Philipps always manages to cut through that B.S., exalting the humble and humbling the exalted. Those of us who have learned some of the wonderful lessons of life that Tim teaches so well will always know where he ranks: right at the top.